

Judge M. S. Carmichael, Co-Founder Of Clipper, Useful Citizen, Dies In Montgomery

MONTGOMERY, Feb. 4.—Judge Malcolm Smith Carmichael, 58, U. S. Referee in Bankruptcy for the Middle District of Alabama for more than 20 years, member of the Constitutional Convention of 1901, former newspaperman and legislator, and Spanish-American War veteran, died at his residence, 209 Cloverdale Road, yesterday morning, following an illness of several weeks.

Born at Ozark, Ala., September 11, 1877, Judge Carmichael, who was the son of the late Judge Jesse Malcolm Carmichael and Mary Smith Carmichael, was educated in the public and private schools of Ozark, and also attended during the residence of his parents here, the private school conducted for a number of years near the corner of Lawrence and High Streets by Mrs. Mary Chilton Jones.

In 1894, when only 17 years old, he graduated with high honors and the degree of Bachelor of Arts from the Southern University at Greensboro, which was later to become Birmingham-Southern College. Following his graduation he taught school at Phenixia, Ala., and later was one of the founders and editors of The Elba Clipper, at Elba. His associate was Abner Howell, now residing at Andalus.

At the outbreak of the Spanish-American War in 1898, he enlisted with the Montgomery Greys, and served with that organization until his honorable discharge followed the conclusion of hostilities. During his service with the Greys he was special correspondent for The Advertiser. After his discharge from the Army he returned to Elba, where, in addition to editing The Clipper, he also held the position of Register in Chancery. During his residence in Elba he served as mayor of the town and also as a member of the school board. For a number of years he was a member of the law firm of Carmichael and Owen Elba.

He was elected to and served as a member of the Alabama Constitutional Convention of 1901, and had the distinction of being the youngest member of that body, which framed the Constitution under which the State Government has since operated. Elected in 1915 as a member of the Alabama House of Representatives, he resigned that post in April of the same year to accept appointment by the late Federal Judge Henry D. Clayton as U. S. Referee in Bankruptcy, which important post he retained under Federal Judge Charles D. Kennerly up to his death.

Active in the civic and religious life of Montgomery, and in the affairs of patriotic organizations, Judge Carmichael was a past vice-president of the Rotary Club, and served on the Board of Stewards and as teacher of the Wesley Bible Class of the Dexter Avenue Methodist Church. He served as commander of the local post and as State adjutant of the Sons of Confederate Veterans, and was commander of the Will B. Shaw Camp of Spanish War Veterans.

During the World War he was active in many phases of patriotic work, serving as publicity chair-

man in practically every campaign of the Red Cross, Salvation Army, War Camp Committee, Y. M. C. A. and Liberty Loan campaigns. In all of these activities, he remained in the background, never seeking credit or praise for himself, but was always a competent and tireless worker. Judge Carmichael was likewise active in many peace time movements, sometimes working behind the scenes, sometimes making speeches in Montgomery and in the rural sections, and was a prominent figure in campaigns on behalf of good roads and education, notably, the State Good Roads Bonds Issue Amendments and the 3-mill tax for schools.

Rated for years as one of Alabama's ablest constitutional lawyers, Judge Carmichael was a member of the Alabama State Bar and of the Montgomery Bar Association. He was also honorary lecturer for the Jones Law School, a member of the S. A. E. fraternity, a Mason, A. K. of P., a member of the Practising, the Unity Club and other organizations, and held an honorary membership in the Montgomery Credit Men's Association. At a banquet given in his honor some months ago by the Elba 35 years ago, where Mrs. Lee has made her home continuously, Captain Lee died 32 years ago this January.

She is survived by three daughters, Mrs. Julia Sanders and Mrs. Sue Gunter, both of Elba and the University of Alabama. Mrs. Tyler Hurt of Jackson, Miss., and two sons, Walter Lee and James Lee, both of Elba. He was preceded in death by his wife, Mrs. Clara Hall, who died in 1913, and his mother, Mrs. M. M. Miller, in 1931.

In 1899 he married Sallie Boyd, the daughter of the late Dr. and Mrs. W. P. Boyd, of Elba. His widow survives him; also three daughters, Miss Pauline Carmichael, and Miss Caroline Carmichael, both of Montgomery, and Mrs. Adolph Leffron, of Carrollton; one sister, Mrs. Pauline Bonner, of Elba; one brother, Congressman A. H. Carmichael, of Tusculum; and a number of nephews and nieces who are the children of his sister, the late Mrs. W. H. Simmons of Ozark and of his brother, the late Charles D. Carmichael, of Geneva. One of his surviving nephews is Atty. Gen. Albert A. Carmichael, whose office at the Capitol will remain closed throughout the funeral and until 2:30 p.m. today.

Funeral, conducted by the Rev. W. P. Calhoun, pastor of the Dexter Avenue Methodist Church, and the Rev. J. E. Northcutt, will be held from the residence, 209 Cloverdale Road, today (Tuesday) at 10 a.m. The body will be taken from here to Elba, where burial will be in Evergreen Cemetery. T. F. Leak and Son in charge.

Commitment services over the body of Judge M. S. Carmichael were held at Evergreen Cemetery in Elba Tuesday afternoon at 1:30, by members of the Will B. Sheehan Camp, Spanish War Veterans, and the Sons of Confederate Veterans, assisted by a detachment of National Guardsmen from Battery D, 17th Field Artillery, who fired the salute. The impressive service was witnessed by a large crowd.

Two letters of appeal were mailed to the teachers urging that poll tax be paid before February 1. This movement for organization and cooperation among the county teachers was begun two years ago with the organization of the county association. The venture has in many instances proven worthwhile. The recent campaign to make all those who taught citizenship, citizens, and qualified to participate in educational and legislative being one of the most recent activities.

Mr. and Mrs. Andrew George Jones and children of Mobile recently visited at the home of Mr. Jones' parents, Rev. and Mrs. J. A. Jones, in Elba.

Barthworms have memory and can be trained, a scientist declares in a large concourse of friends from every section of Southeast Alabama, and is the only one of its kind ever held here, so far as we have been able to learn.

MRS. LEE, ELBA'S OLDEST CITIZEN, PASSES MONDAY

Elba people mourn the passing of Mrs. C. S. Lee, familiarly known throughout South Alabama as "Aunt Polly," whose death occurred early Monday morning at a Montgomery hospital, where she underwent an operation several days ago. She was Elba's oldest citizen and is said to have been the oldest person ever to have been operated on at the hospital in Montgomery. She was 92 on November 7, 1935.

Seven years ago she miraculously escaped death from drowning during the flood here. For a day and night she stood upon a dressing table in her room with water up to her neck. Fortunately, she did not suffer any ill effects from this experience, and her friends often told her that she would live to be 100. However, her health began to fail and the operation seemed inevitable. With that same courage which has been an asset for four scores and ten years, she consented to the operation.

Mrs. Lee was born in Milton, Fla., and came with her parents to Troy and Brewton, and back to Elba when she was 10 years old. She had strong convictions on all questions and was given to faithful and ardent loyalties. She was a spirited man who asked no odds of any opponent in debate.

Malcolm Carmichael was a boy soldier in 1898. Barely old enough to enlist he borrowed the money to pay his transportation to a mobilization camp there to volunteer for the duration of the war. In 1901 he came to Montgomery as the youngest member of the famous Constitutional Convention of that year, sitting with his half-brother, A. H. Carmichael, now a member of Congress from the 8th district.

In the earlier days of his career Judge Carmichael was a newspaper man. He was editor of The Elba Clipper. Under his editorship The Clipper was a potent influence in Southeast Alabama and was widely quoted elsewhere. In later years he studied law and followed its practice with success until 1915 when he was appointed United States Referee in Bankruptcy for the middle district of Alabama.

Judge Carmichael was an exceptionally gifted newspaper writer and had pursued his first love he would have gone far in journalism. There was not a better editorial writer on any newspaper in Alabama than Judge Carmichael. There was a strong native flavor about his writings as about his personality, yet he was acquainted with the best that has been written by the great of the earth. What is not generally known is that in other years Judge Carmichael was an occasional contributor to the editorial columns of The Advertiser—in times of emergency more than once he wrote the entire editorial page.

It was never necessary to edit his contributions. He knew the policy of the paper as well as the editors and had been an intimate student of the paper's contents for a much longer period than most men now connected with The Advertiser—indeed he was the Ozark correspondent of The Advertiser at 14. He has often told with a relish how a Populist stump speaker in an address at Ozark one day singled him out for sarcastic and embarrassing comment. Though only a kid, he swelled with pride at this tribute to his importance in a world then ruled by men.

This gentle, gracious, charitable and honorable man, so richly endowed by nature, so finely developed by industrious self-tutelage and by power of observation, wrought manfully and lived beautifully. A vivid flame has gone out.

MALCOLM SMITH CARMICHAEL (Editorial in Montgomery Advertiser.)

In the death of Judge Malcolm Smith Carmichael, Alabama loses not only a prominent member of one of the state's oldest and most distinguished families, but one who served the public long and ably. Referee in bankruptcy in the federal court at Montgomery through appointment by Judge Henry D. Clayton since 1915, Judge Carmichael had been a leading figure in public affairs of South Alabama for many years prior to his removal to the state capital. At the age of 23 he was sent by Coffee County as a member of the Constitutional convention of 1901 and was the youngest member of that body. As a youth he taught school in Escambia County. He had served as mayor of his home city, Elba. He had been chancellor of Coffee County and member of the legislature from that county. In 1897 he was a co-founder of the Elba Clipper and served actively as editor of that publication for fourteen years.

The wide range of Judge Carmichael's information was a source of continual wonder to his friends. Delighted companion, charming raconteur, engaging personality—these combined with his deep knowledge gave him opportunity for grave and effective service to his community and to the state. Judge Carmichael will be deeply missed in Montgomery and in the whole region where his influence and effort were so continuously felt.

The passing of Judge Malcolm S. Carmichael, for many years a citizen of Elba, a leader in the civic and religious life of the town and one of the founders of The Clipper, brings more than passing sorrow to the present owner and editor of the paper.

It was under his employ that the writer, as a small boy, more than thirty years ago started his career as a printer. In the years that followed, his influence and deep interest were always guiding lights along our pathway. Finally through his persuasion and encouragement we ventured out on our own and purchased the paper early in the year 1914. He was ever willing to help us in editing the paper, often contributing our choicest bits of news and comment, and likewise aided us in solving the business problems that confronted a young man just launching into the printing and publishing business.

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Six Months .75
CASH IN ADVANCE

Man wants but little here to
forgive his neighbor has less.

With no raw material to work
on, splitters will hardly enjoy
heaven.

Laws represent the will of the
people, but too often it is the will
of the wrong people.

A lot of drivers are so intent on
getting their shine before they
that they never use dimmers.

No wonder poor Eve didn't get
her head, considering that it was
made of the tone from Adam's rib.

A bookkeeper may hold his job
but the clerk who can do his
up that no one else can under-
stand them.

Recessive horsepower under the
hood is dangerous if not accom-
panied by corresponding horse-
sense under the hat.

Some of our friends are much
good fellows that we can almost
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Federal and state governments
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It is said that grasshoppers
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A French society offers a prize
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the gossamer, should be to open up
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NEW PAIN PREVENTIVE

What is declared to be a pain
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The new desensitizer, perfected by
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FARMER JONES AND HIS COW PEN

By JUDGE W. M. BRUNSON

The average farmer in this sec-
tion of the State does not give
very much attention to his well,
it seems to me that your well is
the first place I would like to see
require your very best thought and
attention. If your family did not
drink the water from his well it
should still be properly cared for,
as your milk, cows, hogs, chick-
ens, turkeys and neighbors use the
water and they are all entitled to
the very best water to be had.

There are a few simple rules which
we have followed for a number of
years and I have noticed that my
neighbors have profited by our ex-
ample. In the first place, if it is
necessary for your well to be deep
enough for you to get water from
a dependable source and not from
surface water. Then put in a
good curb and see that your well
walls are clean and smooth. The
most important thing of all is to
put a good large shelter over your
well before the first rain comes.

After you have fixed the curb, a
covered well will keep your water
clean and sweet. A covered well
will also keep the water from
washing the dirt from the sides
into the water. In my opinion, every
farmer should have a covered well.
When the other fellow picks a
flaw, he's cranking; when you do
you are discriminating.

"When the other fellow says
what he thinks, he is spiteful;
when you do, you are frank," and
on on.

It is really hard to apply to our
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we use in measuring our neighbors.
But we ought to try to do it.

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NEW CHEVROLET FOR 1936

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PROMENADE DECK

by Ishbel Ross

He looked at his watch. It was
half-past five. "Sorry, Seamen
must go. No time for dilatory
now."

"But now is always a lovely
time," Clare stretched languidly
only in the depths of her deck
chair.

Dick swung along the deck,
tall, blue figure taking against
the wind.

Clare watched day melt into
night. She could see Maclure
turning in the day's afterglow,
spending the savings of 20 years,
Angela, faithful wife of Lovat,
gigolo, Dick Charlton, first officer,
Clare, a person of experience,
Joan, a dissipated flapper, Jenny,
unsway wife, and Peter, Captain
Baring, master of the ship.

"Now, GO ON WITH
THE STORY."

A slight girl stood pale with
a youth at her heels. She was all
in yellow, and her pale gold hair
burned in the day's afterglow.
Dick's glance swung from Clare's
glance to the figure in the prime-
moving with the careless grace of
inexperience.

"Angela!" commented the chief
officer, his gaze settling again on
the figure beside him.

"Yes—she darted a fast look
at him—"and how one has to
protect oneself from the young!"

Clare saw Maclure roaming up
and down, putting his pipe.

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